

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ACDA-07 ERDA-05 AF-10 ARA-06 CIAE-00  
DODE-00 EA-07 PM-04 H-01 INR-07 L-03 NASA-01  
NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01  
OES-06 SS-15 USIA-06 TRSE-00 DHA-02 ISO-00 OMB-01  
EB-08 NRC-05 /141 W  
-----270142Z 126373 /14

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FM USMISSION NATO  
TO SECSTATE WASHDC 3168  
INFO AMEMBASSY THE HAGUE  
USMISSION GENEVA

C O N F I D E N T I A L USNATO 2415

E.O. 11652: GDS  
TAGS: PFOR PARM NATO  
SUBJ: HUMANITARIAN LAW IN ARMED CONFLICT

REF: USNATO 2370

1. THERE FOLLOWS THE NEW TEXT OF DUTCH PROPOSAL ON  
INCENDIARY WEAPONS, WHICH NETHERLANDS REP PROMISED TO  
CIRCULATE AT NATO DISARMAMENT EXPERTS MEETING. THE  
COVER LETTER NOTES THAT THERE ARE NO CHANGES IN THE  
FIRST PARA CONCERNING DEFINITIONS, AND THAT THE CHANGED  
WORDING IN SECOND PARA CONCERNING RULES IS UNDERLINED.

2. BEGIN TEXT:

1. DEFINITIONS

A. AN INCENDIARY MUNITION IS ANY MUNITION WHICH IS  
PRIMARILY DESIGNED TO SET FIRE TO OBJECTS OR TO CAUSE  
BURN INJURY TO PERSONS THROUGH THE ACTION OF FLAME  
AND/OR HEAT PRODUCED BY A CHEMICAL REACTION OF A SUBSTANCE  
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DELIVERED ON THE TARGET.

B. A FLAME MUNITION IS ANY INCENDIARY MUNITION IN WHICH  
THE INCENDIARY AGENT TO BE DELIVERED ON THE TARGET IS  
BASED ON A GELLED HYDROCARBON. NAPALM IS A FLAME MUNITION.

2. RULES

A. AS A CONSEQUENCE OF THE RULES OF INTERNATIONAL LAW  
APPLICABLE WITH RESPECT TO THE PROTECTION OF THE CIVILIAN

POPULATION AGAINST THE EFFECTS OF HOSTILITIES, IT IS PROHIBITED TO MAKE ANY CONCENTRATION OF CIVILIANS THE OBJECT OF ATTACK BY MEANS OF ANY INCENDIARY MUNITION. BEGIN UNDERLINE: CONCENTRATIONS OF CIVILIANS CAN EITHER BE OF A PERMANENT CHARACTER, SUCH AS CITIES, TOWNS AND VILLAGES, OR OF A TEMPORARY CHARACTER, SUCH AS CITIES, TOWNS AND VILLAGES, OR OF A TEMPORARY CHARACTER, SUCH AS CAMPS AND COLUMNS OF REFUGEES OR EVACUEES. END UNDERLINE.

B. SPECIFIC MILITARY OBJECTIONS THAT ARE SITUATED WITHIN A CONCENTRATION OF CIVILIANS MAY BE MADE THE OBJECT OF ATTACK BY MEANS OF INCENDIARY MUNITIONS, PROVIDED THAT THE ATTACK IS OTHERWISE LAWFUL AND THAT ALL FEASIBLE PRECAUTIONS ARE TAKEN TO LIMIT THE INCENDIARY EFFECTS TO THE SPECIFIC MILITARY OBJECTIVES AND TO AVOID INCIDENTAL LOSS OF CIVILIAN LIFE OR INJURY TO CIVILIANS.

C. IN ORDER TO REDUCE TO A MINIMUM THE RISKS POSED TO CIVILIANS BY THE USE OF FLAME WEAPONS, IT IS PROHIBITED TO MAKE ANY SPECIFIC MILITARY OBJECTIVE THAT IS SITUATED WITHIN A CONCENTRATION OF CIVILIANS THE OBJECT OF AERIAL ATTACK BY MEANS OF NAPALM OR OTHER FLAME MUNITION UNLESS THAT OBJECTIVE IS LOCATED WITHIN AN AREA BEGIN UNDERLINE IN WHICH COMBAT BETWEEN GROUND FORCES IS TAKING PLACE OR APPEARS TO BE IMMINENT. END UNDERLINE. END TEXT. STREATOR  
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## Message Attributes

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**TAGS:** PFOR PARM NATO  
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